

JUN 28 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: GEWEHR ET AL.

SERIAL No. 10/616,950

FILED: JULY 11, 2003

FOR: FUNGICIDAL USE

DOCKET No.: AM200040

CONFIRMATION No.: 2161

GROUP ART UNIT: 1616

EXAMINER: SABIHA N. QAZI

I hereby certify that this correspondence is being facsimile transmitted on the date indicated below to Commissioner of Patents and Trademarks, Alexandria, Va 22313-1450, at: (571) 273-8300

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Honorable Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY UNDER 37 C.F.R. §1.111

Sir:

In reply to the Office action of February 28, 2006, it is respectfully requested that the following remarks be entered and considered for further prosecution of the above-identified application:

REMARKS

Claims 1, 2, 4 and 5 as presented by applicants on June 10, 2005 (date of the Certificate of Mailing), are currently pending in this case.

The Examiner reiterated the rejection of Claims 1, 2, 4 and 5 under 35 U.S.C. §103(a) as being unpatentable in light of the teaching of Curtze et al. (US 6,127,570).

In particular, the Examiner argued that the compounds represented by applicants' formula (I) as well as the compound 5-bromo-2',6-dime-

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